

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MARYLYN MARCIAL-DELIMA, :
: Plaintiff, : CIVIL ACTION
v. : : NO. 16-2631
EASTON DOUGHNUTS, *et al.*, :
: Defendants. :

ORDER

AND NOW, this 22nd day of March, 2017, upon consideration of the defendants' Motion to Dismiss (Docket No. 9) and the plaintiff's Response in Opposition (Docket Nos. 11 and 12), it is hereby **ORDERED** that:

1. The defendants' motion to dismiss is **GRANTED** with respect to the plaintiff's hostile work environment claim in count one. The hostile work environment claim is **DISMISSED WITHOUT PREJUDICE**.
2. The defendants' motion to dismiss is **DENIED** in all other respects.
3. The plaintiff has twenty (20) days in which to file a second amended complaint.

It is so **ORDERED**.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.